UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/705,835	11/13/2003	Toshikazu Morisawa	04329.3176	7845

22852 7590 01/08/2008

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP
901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413

EXAMINER	
CONNOLLY, MARK A	

ART UNIT	PAPER NUMBER
2115	

MAIL DATE	DELIVERY MODE
01/08/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/705,835	MORISAWA, TOSHIKAZU	
	Examiner	Art Unit	
	Mark Connolly	2115	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *31 October 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4,13 and 17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,13 and 17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *10/31/07*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-4, 13 and 17 have been presented for examination.

2. Applicant's arguments with respect to claims 1-4, 13 and 17 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1 and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Shimada[1] JP 11065712A.

5. Referring to claim 1, Shimada teaches the electronic apparatus having a plurality of operation modes, comprising:

a. a first controlling unit configured to control operation speed of a processor [¶0008].

b. a second controlling unit configured to control switching between drive and non-drive of a cooling fan [¶0008]. The control circuit is interpreted as comprising a first and second controlling unit since it controls both the processor speed and fan. In addition,

c. an operation mode setting unit configured to set a first operation mode of carrying out temperature control giving priority to the drive of the cooling fan rather than reducing the speed of the processor, and a second operation mode of carrying out temperature control giving priority to the speed reduction of the processor rather than the drive of the cooling fan [¶'s 0008-0010].

---

[1] As cited by applicant but translation provided by examiner.

d. a time zone setting unit configured to set a time zone, the time zone being a power consumption concentrating time zone [¶0007].

e. a control unit configured to carry out an operation mode changeover to select the second operation mode when current time is in the time zone set by the time zone setting unit [¶'s 0009-0010].

6. Referring to claim 13, this is rejected on the same basis as set forth hereinabove. Shimada teach the apparatus and therefore teach the method performed by the apparatus.

Claim Rejections - 35 USC § 103

7. Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shimada as applied to claims 1 and 13 above, and further in view of Thelander[2].

8. Referring to claims 2 and 3, although Shimada teaches setting time zones comprising a night time zone and a non-night time zone for controlling temperature either by CPU speed reduction or fan speed, it is not explicitly taught to have different shut off times for a monitor and hard disk associated for each time zone. Thelander teaches having different shut off times for a monitor and hard disks depending on the time zone the system is operating under. In particular, Thelander teaches when operating in a first normal operating mode (i.e. day scheme), turning a monitor off after the system has not been actively used for 20 minutes and a hard disk after 30 minutes [935 fig. 10]. In addition, when operating in a second power saving operation mode (i.e. night scheme), the monitor and hard disks are turned off after the system has not been actively used for 5 minutes [fig 11]. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the Shimada system to include the teachings of

[2] As cited in the previous office action.

Thelander because during night hours, it is well known that most people are sleeping and thus away from their computers thereby leaving them to idle if still powered on. By reducing the time before turning off the monitor and hard disk, additional power can be saved.

9. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shimada and Thelander as applied to claims 1-3 and 13 above, and further in view of Nakai[3].

10. Referring to claim 4, although Shimada and Thelander teach operating in a quiet and low power mode during scheduled times, it is not explicitly taught how the system reduces its power consumption in relation to optical disk drives. Nakai explicitly teaches that power can be conserved in a power saving mode by reducing a disk rotation speed [col. 18 lines 12-20]. In addition, just as reducing a fan rotation speed reduces noise, it is reasonable to expect that a rotational speed of a disk drive would also reduce noise produced by the disk drive. Because the Shimada-Thelander system reduces the systems noise and power consumption in accordance with a schedule, it would have been obvious to one of ordinary skill in the art to reduce a disk rotation speed during a power save mode so that noise and power consumption can be minimized.

Conclusion

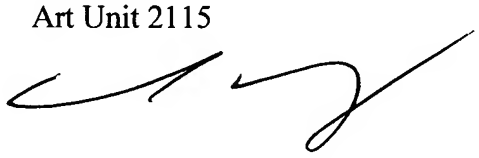
11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Connolly whose telephone number is (571) 272-3666. The examiner can normally be reached on M-F 8AM-5PM (except every first Friday).

[3] As cited in the previous office action.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas C. Lee can be reached on (571) 272-3667. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Mark Connolly
Examiner
Art Unit 2115



mc
January 2, 2008